

Agenda

REVISED



Tempe City Council

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Harry E. Mitchell Government Center

Municipal Building

Council Chambers

31 East Fifth Street

7:30 P.M.

The City of Tempe endeavors to make all public meetings accessible to persons with disabilities. With 48 hours advance notice, special assistance can also be provided for sight and/or hearing impaired persons at public meetings. Please call (480) 350-8241 (voice) or (480) 350-8400 (TDD) to request an accommodation to participate in the City Council meeting.

April 15, 2004

1. INVOCATION – Councilmember Cahill

2. PLEDGE OF ALLEGIANCE

3. MINUTES – Councilmember Copple

A. Approval of Council Meeting Minutes

1. Council Executive Session – March 25, 2004
2. Council Issue Review Session – March 25, 2004 [20040415clrkck08.pdf](#)
3. Formal City Council Meeting – March 25 & April 1, 2004
[20040415clrkck05.pdf](#) [20040415clrkck07.pdf](#)
4. Special City Council Meeting – March 24, 2004 [20040415clrkck01.pdf](#)
5. Housing Authority Governing Board – March 25, 2004 [20040415clrkck04.pdf](#)
6. Council's Finance & Diversity Issues Committee – March 23, 2004 [20040415fdi01.pdf](#)
7. Council's Neighborhood Enhancement & People Improvement Program Committee – February 9, 2004 [20040415nepip01.pdf](#)
8. Rio Salado Committee of the Whole – February 19, 2004 [20040415clrkck02.pdf](#)
9. Council's Transit/Light Rail & Development Services Committee – March 22, 2004
[20040415tlrds01.pdf](#)

B. Acceptance of Board & Commission Meeting Minutes

10. Bicycle Advisory Committee – March 4, 2004 [20040415bac01.pdf](#)
11. Board of Adjustment – February 25, 2004 [20040415boa01.pdf](#)
12. Hearing Officer – April 6, 2004 [20040415ho01.pdf](#)
13. Historic Preservation Commission – March 4, 2004 [20040415hpc01.pdf](#)
14. Human Relations Commission – January 13, 2004 [20040415hrc01.pdf](#)
15. Library Advisory Board – February 2, 2004 [20040415lab01.pdf](#)
16. Mayor's Youth Advisory Commission – March 2, 2004 [20040415myac01.pdf](#)
17. Rio Salado Advisory Commission – February 24, 2004 [20040415rsac01.pdf](#)
18. Transportation Commission – January 13 & February 10, 2004 [20040415tc01.pdf](#)
[20040415tc02.pdf](#)

19. Transportation Accountability/Governance Subcommittee – October 7 & November 4, 2003 [20040415tc05.pdf](#) [20040415tc06.pdf](#)
20. Transportation Planning & Project Review Subcommittee – November 24, 2003 & January 26, 2004 [20040415tc03.pdf](#) [20040415tc04.pdf](#)
21. Transportation Public Involvement/Marketing Subcommittee – October 6, November 3, December 1, 2003 & January 5 & February 2, 2004
[20040415tc07.pdf](#) [20040415tc08.pdf](#) [20040415tc09.pdf](#) [20040415tc10.pdf](#)
[20040415tc11.pdf](#)

4. REPORTS AND ANNOUNCEMENTS

A. Mayor's Announcements

- James C. Howland Award Recognition
- Volunteer Administrator of the Year Award – Maryanna Bastin
- Board & Commission Appointments [20040415boards.pdf](#)

B. Manager's Announcements

5. CONSENT AGENDA

All items listed on the Consent Agenda will be considered as a group and will be enacted with one motion by the City Council. None of these items will be discussed unless a Councilmember removes an item or a citizen requests that a public hearing item be removed for separate consideration. Public hearing items are designated by an asterisk (*). Items scheduled for a Introduction/First Public Hearing will be heard, but will not be voted upon, at this meeting.

'q-j' indicates items that are quasi-judicial. The City Council sits as a quasi-judicial body when hearing variances. When sitting as a quasi-judicial body, the City Council must conduct itself as a court, not as a legislative body. This means that any materials or conversations concerning the variance can only be presented to the City Council at the scheduled public hearing. Pre-meeting contact with the City Council on quasi-judicial matters is prohibited.

A. Miscellaneous

22. Request to set Executive Session for the City Council meeting of April 29, 2004, if needed, in the Harry E. Mitchell Government Center, Municipal Building, 3rd Floor Conference Room, 31 E. 5th Street.

COMMENTS: Agenda for Executive Session will be posted at least 24 hours prior to such meeting.

23. Request by South Mountain Commerce Center for a Preliminary and Final Subdivision Plat consisting of one lot at 2420 West Baseline Road.

COMMENTS: (Orsett, Curt Feurer, property owner) #SBD-2004.22 for a Preliminary and Final Subdivision Plat consisting of one (1) lot on 8.84 net acres.

DOCUMENT NAME: [20040415dsrl02.pdf](#) **PLANNED DEVELOPMENT (0406)**

24. Request by CVS Pharmacy for a Preliminary and Final Subdivision Plat consisting of two lots at 855 East Elliot Road.

COMMENTS: (Armstrong Development, property owner) #SBD-2004.05 for a Preliminary and Final Subdivision Plat consisting of two (2) lots on 2.74 net acres.

DOCUMENT NAME: [20040415dsd2k01.pdf](#) **PLANNED DEVELOPMENT (0406)**

25. Request by Mesa Precast for a Preliminary and Final Subdivision Plat consisting of one lot at 2310 East 5th Street.

COMMENTS: (Mesa Precast Supply Inc, property owner) #SBD-2004.23 for a Preliminary and Final Subdivision Plat consisting of one (1) lot on 2.17 net acres.

DOCUMENT NAME: [20040415dsrl04.pdf](#) **PLANNED DEVELOPMENT (0406)**

26. Request to approve an Assignment and Escrow Agreement with MGC Contractors, Inc., as a guarantee for complete performance of the construction contract for Disinfection Technology and Marigold Lane Improvements.

DOCUMENT NAME: [20040415PWDR04.pdf](#) **JOHNNY G. MARTINEZ WATER TREATMENT PLANT (0902-14) PROJECT NO. 3201092**

27. Request to approve an Assignment and Escrow Agreement with PCL Civil Constructors, Inc. as a guarantee for complete performance of the construction contracts for Phase I and Phase II of the Kyrene Reclamation Facility 9-MGD Expansion.

DOCUMENT NAME: [20040415PW05.pdf](#) **KYRENE WATER RECLAMATION PLANT (0812-02) PROJECT NOS. 32-996995 & 32-997044**

- 27a. Request certification of 3rd Quarter of FY 2003/04 Court Collections in accordance with Arizona Revised Statutes § 12-116.04, as added by Laws 2003, Chapter 263.

DOCUMENT NAME: [20040415fstm01.pdf](#) **COURT ADMINISTRATION (0501-02)**

- *28. This is a public hearing for the approval of a Series 1 In-State Producer's Liquor License for One Fifty, Inc., 1210 W. Alameda Dr., #114.

COMMENTS: Nathan D. Wilken, Agent

DOCUMENT NAME: [20040415LIQ1.pdf](#) **LIQ LIC (0210-02)**

- *29. This is a request to continue the public hearing until the April 29 Council meeting for a Series 12 Restaurant Liquor License for Devil House, LLC, dba Devil House, 829 S. Rural Rd.*

DOCUMENT NAME: [20040415LIQ2.pdf](#) **LIQ LIC (0210-02)**

- 29a. Request approval to utilize a State of Arizona contract AD040004-001 for the purchase*

of a Park Ranger truck from Midway Chevrolet.

COMMENTS: Total cost for this contract shall not exceed \$14,999.41.

DOCUMENT NAME: [20040415fddl03.pdf](#) **PURCHASES (1004-01)**

B. Award of Bids

30. Request to award a one-year contract with two (2) one-year renewal options to Roto-Rooter Service for sewer drain maintenance and repair.

COMMENTS: Total cost for this contract shall not exceed \$50,000.

DOCUMENT NAME: [20040415fslg02.pdf](#) **PURCHASES (1004-01) BID #04-082**

31. Request to award a one-year contract with two (2) one-year renewal options to United Fire Equipment (Tempe, AZ) for Fire Department uniforms.

COMMENTS: Total cost for this contract shall not exceed \$50,000 during the initial contract period.

DOCUMENT NAME: [20040415fddl01.pdf](#) **PURCHASES (1004-01) IFB #04-086**

C. Ordinances and Items for Introduction/First Hearing - These items will have two public hearings before final Council action.

- *32. This is the **introduction and first public hearing** to amend Chapter 24, Article II of the Tempe City Code relating to pushcarts, kiosks, street entertainers and mobile merchants. The **second** public hearing is set for April 29, 2004.

DOCUMENT NAME: [20040415cacc04.pdf](#) **TCC CH 24 - PEDDLERS, SOLICITORS & ITINERANT MERCHANTS (0503-24) Ordinance No. 2004.16**

- *33. This is the **first** public hearing to amend Chapter 12, Article IV of the Tempe City Code relating to Storm Water Retention and to amend Chapter 12, Article VI, relating to Storm Water Pollution Control.

DOCUMENT NAME: [20040415cacc01.pdf](#) **TCC CH 12 – DRAINAGE & FLOOD CONTROL (0503-12) Ordinance No. 2004.13**

- *34. This is the **first** public hearing to amend Section 19-50 in Chapter 19 of the Tempe City Code relating to Motor Vehicles and Traffic (Hauling Waste Fill or Waste Excavation Material).

DOCUMENT NAME: [20040415cacc02.pdf](#) **TCC CH 19 – MOTOR VEHICLES & TRAFFIC (0503-19) Ordinance No. 2004.14**

- *35. This is the **first** public hearing to amend Chapter 33, Article V of the Tempe City Code relating to Cross Connection Control.

DOCUMENT NAME: [20040415cacc03.pdf](#) **TCC CH 33 – WATER (0503-33)**

Ordinance No. 2004.15

- *36. This is the **first** public hearing for Curry Commercial Plaza for a zoning change and a site plan at 914 North Scottsdale Road.

COMMENTS: (Thompson, P. / Sandra Rose, property owner, Triyar Capital, LLC, Developer), including the following: **#ZON-2004.02 Ordinance 808.2004.02** for a zoning change from I-2, General Industrial to C-1, Neighborhood Commercial on 0.77 gross acres; **#SIP-2004.13** for a Site Plan consisting of two buildings totaling 5,760 square feet (Building "B", 1,200 s.f. for banking services and Building "A", 4,560 s.f. for a restaurant and retail space) on 0.77 net acres.

DOCUMENT NAME: [20040415dsht03.pdf](#) **PLANNED DEVELOPMENT (0406)**

D. Ordinances and Items for Second Hearing/Final Adoption

- *37. This is the **second** public hearing to abandon a waterline easement at 2110 West Ikea Way.

DOCUMENT NAME: [20040415PWMG01.pdf](#) **EASEMENT ABANDONMENT (0901) ORDINANCE NO. 2004.10**

- *38. This is the **second** public hearing to abandon two easements located at the ASU Foundation project area, 703 North College Avenue.

DOCUMENT NAME: [20040415PWMG02.pdf](#) **EASEMENT ABANDONMENT (0901) ORDINANCE NO. 2004.11**

- *39. This is the **second** public hearing to abandon an easement for ingress/egress located within the proposed Playa del Norte, North Miller Road extension project area.

DOCUMENT NAME: [20040415PWMG03.pdf](#) **EASEMENT ABANDONMENT (0901) ORDINANCE NO. 2004.12**

E. Resolutions

40. Request approval of a resolution to apply for a Corporation for National and Community Service Grant to fund equipment for a volunteer program, Assistance In Disaster (AID), and one temporary, part-time Administrative Assistant I to support the AID program.

DOCUMENT NAME: [20040415pdsr01.pdf](#) **POLICE DEPARTMENT ADMINISTRATION (0606-02) RESOLUTION NO. 2004.23**

- 41.** Request approval of a resolution for authorization to apply for and accept a Heritage Fund Grant from the Arizona State Parks Board for initial phased stabilization of the historic 1930 Eisendrath House.

DOCUMENT NAME: [20040415dsjn01.pdf](#) **HISTORIC PRESERVATION**

STUDIES (0112-02) RESOLUTION NO. 2004.19

42. Request approval of a resolution to authorize application to the Arizona State Parks Board for a Heritage Fund Grant for rehabilitation of the National Register Listed 1934 Tempe Beach Stadium.

DOCUMENT NAME: [20040415dsjn02.pdf](#) **HISTORIC PRESERVATION
STUDIES (0112-02) RESOLUTION NO. 2004.20**

43. Request approval of a resolution authorizing the transfer of Northwest Tempe Neighborhoods Community Development Corporation land to the Community Land Trust of Tempe.

COMMENTS: Land located at 1929 E. Del Rio Dr., 912 W. Julie Dr., and 1132 W. Ellis Dr.

DOCUMENT NAME: [20040415dslc01.pdf](#) **COMMUNITY DEVELOPMENT
/REDEVELOPMENT ADMIN (0403-01) RESOLUTION 2004.25**

6. NON-CONSENT AGENDA

7. CURRENT EVENTS/COUNCIL ANNOUNCEMENTS

8. PUBLIC APPEARANCES

According to the Arizona Open Meeting Law, the City Council may only discuss matters listed on the City Council agenda. Matters discussed by the public during public appearances cannot be discussed by the City Council unless they are specifically listed on the agenda. There is a five-minute time limit per speaker. Speaker's visual aids or recorded tapes will not be allowed during formal meetings.

Members of the public attending City Council meetings shall refrain from making personal, impertinent or slanderous remarks and from becoming boisterous while addressing the City Council or while attending the meeting. Unauthorized remarks from the audience, stomping of feet, yelling or any similar demonstrations are also prohibited. Violations of these rules may result in removal from the City Council meeting.